



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

March 16, 2020

VIA ECF

The Honorable J. Paul Oetken
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Robinson & Mangini*, 20 Cr. 162 (JPO)

Dear Judge Oetken:

On March 9, 2020, the Government unsealed four indictments relating to allegations of misbranding and drug adulteration in the world of competitive horseracing. Underlying each of the indictments were allegations of “doping” through the use of misbranded and adulterated performance enhancing drugs (“PEDs”). One of the indictments, captioned above, was assigned to Your Honor.¹ Each of the defendants in this case, Scott Robinson and Scott Mangini, was arrested on March 9 and presented on that date before a Magistrate of the District of each arrest (for Robinson, the Middle District of Florida; and for Mangini, the Southern District of Florida), pursuant to Federal Rule of Criminal Procedure 5(c)(3). Both defendants were released on March 9 pursuant to bail conditions.

At the time of the Indictment’s unsealing, the Government spoke with Chambers and was instructed that presentment in this District and arraignment would be referred to the sitting Magistrate upon each defendant’s arrival in the Southern District of New York. No date for appearance in this District was set by the Middle or Southern Districts of Florida, and therefore the Government and defense counsel for each defendant communicated regarding a date for that proceeding this week. However, in light of the stringent precaution arising from the current public health crisis, the parties have agreed to defer the defendant’s travel to this District.

In order to avoid the need for multiple flights or trips to New York for presentment/arraignment and a separate initial appearance before Your Honor, the Government, upon consent of counsel for each defendant, respectfully requests that the Court schedule a date for the initial appearance at a time convenient to the Court at least approximately two weeks from

¹ *United States v. Navarro, et al.*, 20 Cr. 160, and *United States v. Izhaki and Lebowitz*, 20 Cr. 161, have been assigned to Judge Vysocil; and the fourth case, *United States v. Louis Grasso, et al.*, 20 Cr. 163, has been assigned to Judge Castel.

today's date. With that date for appearance in hand, the parties will endeavor to schedule time with the sitting Magistrate Judge for purposes of presentment and arraignment on the day before or day of that initial appearance.

Finally, in light of the need to arrange travel under difficult circumstances, the need for the parties to discuss protective orders governing discovery, and the need for the Government to begin production of discovery and defense counsels' review of the same, the Government respectfully requests that time between today and the Court's initial appearance be excluded under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A).

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

by: /s Andrew C. Adams
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Granted. The initial appearance before Judge Oetken in this matter is scheduled for April 7, 2020, at 11:00 am. Time is excluded through April 7, 2020, under the Speedy Trial Act, 18 USC 3161(h)(7)(A), the Court finding that the ends of justice outweigh the interests of the public and the defendant in a speedy trial.
So ordered.
March 16, 2020



J. PAUL OETKEN
United States District Judge